

(1) Receive appropriate humane treatment and services in a manner that restricts the individual's personal liberty within a facility only to the extent necessary and consistent with the individual's treatment needs and applicable legal requirements;

(2) Receive treatment in accordance with the applicable individualized plan of rehabilitation or the individualized treatment plan provided for in § 10-706 of this subtitle;

(3) Be free from restraints or [locked door] seclusions except for restraints or [locked door] seclusions that are:

(i) [1.] Used only during an emergency [where the individual presents a danger to the life or safety of the individual or of others; or

2. Used only to prevent serious disruption to the therapeutic environment] **IN WHICH THE BEHAVIOR OF THE INDIVIDUAL IS UNANTICIPATED AND PLACES THE INDIVIDUAL OR OTHERS AT SERIOUS THREAT OF VIOLENCE OR INJURY;** and

(ii) 1. Ordered by a physician in writing; or

2. Directed by a registered nurse if a physician's order is obtained within 2 hours of the action;

(4) BE FREE FROM PHYSICAL RESTRAINT OR HOLD THAT:

(I) PLACES THE INDIVIDUAL FACE DOWN WITH PRESSURE APPLIED TO THE BACK;

(II) OBSTRUCTS THE AIRWAY OF THE INDIVIDUAL OR IMPAIRS THE INDIVIDUAL'S ABILITY TO BREATHE;

(III) OBSTRUCTS A STAFF MEMBER'S VIEW OF THE INDIVIDUAL'S FACE; OR

(IV) RESTRICTS THE INDIVIDUAL'S ABILITY TO COMMUNICATE DISTRESS;

[4] (5) Be free from mental abuse; and

[5] (6) Be protected from harm or abuse as provided in this subtitle.